

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: GUR, Joshua et al

Group Art Unit: 3736

Serial No.: 10/595,493

Examiner: STOUT, Michael C.

Filing or 371 (c) Date: 08/17/2009

Dkt No: WBG002-US

For: TONOMETER

To: Mail Stop ISSUE FEE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

From:

24222

Commissioner:

**LETTER OF TRANSMITTAL**

1. Transmitted herewith is PTOL-85B Issue Fee Transmittal and PTO/SB/47 Fee Address Form.

2. Drawings: were never accepted or rejected by Examiner.

3. DEPOSIT ACCOUNT 500323 AUTHORIZATION - All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the submittal to deposit account 500323, registered to Vernon C. Maine PLLC, contact telephone no. 603-886-6100.

4. [X] COMMENTS ON REASON FOR ALLOWANCE

The Applicant thanks the Office for providing reasons for allowance. However, the Applicant believes that the record as a whole amply supports the allowance of the claims and such further comments by the Office do not represent the full scope of the invention as defined in each of the claims. The Office merely recites elements of claims 1 and 6 as the reasons for allowance, and

the Applicant wishes to ensure that such statement does not give rise to a presumption of acquiescence to those reasons, and any negative inferences that may flow therefrom. Applicant believes that the allowed claims 1-4, 6, 7, 10 and 11, including 2 independent claims are best interpreted in light of the record as a whole and not on the reasons presented in the Notice of Allowance.

Respectfully submitted,

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